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Attorney for Plaintiff
CLAYEO C. ARNOLD, A PROFESSIONAL CORPORATION

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CLAYEO C. ARNOLD, A
PROFESSIONAL CORPORATION,

Plaintiff,

V.

JACOBY & MEYERS ATTORNEYS,
LLP,

Defendant.

Case No. 2:23-cv-02760-CKD

**PLAINTIFF'S *EX PARTE* APPLICATION
TO EXTEND TIME TO ANSWER, MOVE,
OR OTHERWISE RESPOND TO THE
AMENDED COMPLAINT PURSUANT TO
EASTERN DISTRICT LOCAL RULE
144(c); DECLARATION OF CRAIG A.
SIMMERMON IN SUPPORT THEREOF**

(Proposed Order filed concurrently herewith)

Amended Complaint Filed : 3/4/2024

EX PARTE APPLICATION

Plaintiff CLAYEO C. ARNOLD, A PROFESSIONAL CORPORATION hereby applies for an order extending the time for Defendant JACOBY & MEYERS ATTORNEYS, LLP to answer, move, or otherwise respond to the Amended Complaint to, and including, June 10, 2024.

This is the parties' first *ex parte* application to extend the time to answer, move, or

1 otherwise respond to the Amended Complaint.

2 There is good cause for *ex parte* relief to extend the time for Defendant to answer, move,
3 or otherwise respond to the Amended Complaint to allow the parties time to execute a draft
4 settlement agreement.

5 Notice of this application as provided to all parties who have appeared in the action by
6 email.

7 This application is made pursuant to Fed. R. Civ. P. 6; Local Rule 144(c). It is based upon
8 this application, the attached declaration of Craig A. Simmermon, and the attached proposed
9 order.

10 DATED: May 11, 2024

11 Law Office of Craig A. Simmermon
12 By: /s/Craig Simmermon
13 Craig Simmermon
14 Attorney for Plaintiff
15 CLAYEO C. ARNOLD, A
16 PROFESSIONAL CORPORATION

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DECLARATION OF CRAIG A. SIMMERMON

1. I am a member of good standing of the State Bar of California and attorney for Plaintiff, CLAYEO C. ARNOLD, A PROFESSIONAL CORPORATION.

2. Counsel for Defendant has not yet filed an appearance in the case.

3. Therefore, a stipulation with the named Defendant cannot be obtained.

4. Counsel for Defendant has consented to this extension.

5. On May 10, 2024, I gave notice to all parties by email, stating that this *ex parte* application would be made.

6. This is the parties' first *ex parte* application to extend the time to answer, move, or otherwise respond to the Amended Complaint.

7. There is good cause for *ex parte* relief to extend the time for Defendant to answer, move, or otherwise respond to the Amended Complaint to allow the parties time to execute a draft settlement agreement.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 11th day of May, 2024 at Sacramento, California.

Law Office of Craig A. Simmermon
By: /s/Craig Simmermon
Craig Simmermon
Attorney for Plaintiff
CLAYEO C. ARNOLD, A
PROFESSIONAL CORPORATION